

**IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO**

**STATE OF NEW MEXICO, *ex rel.*
State Engineer**

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 JEC-ACE

**RIO CHAMA STREAM SYSTEM
Section 7: Cañones Creek**

**NEW MEXICO'S MOTION TO JOIN
ADDITIONAL PARTIES DEFENDANT**

COMES NOW plaintiff State of New Mexico, *ex rel.* State Engineer ("State") and respectfully requests the Court to join as additional parties defendant the persons or entities named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Cañones Creek subsection of Section 7 of the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction of adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.
2. The persons or entities listed in Exhibit A are in Cañones Creek subsection of Section 7 of the Rio Chama Stream System, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within the

Cañones Creek subsection Section 7 of the Rio Chama Stream System.

DATED: January 10, 2003

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of New Mexico's Motion to Join Additional Parties Defendant was mailed to the following persons on January 10, 2003.



Edward G. Newville

**RIO CHAMA SECTION 7
DISTRIBUTION LIST**

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Attachment A

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ABEYTA, ELVIRIA	P.O. BOX 102 LOS OJOS, NM 87551
ABEYTA, ELVIRIA S.	P.O. BOX 102 LOS OJOS, NM 87551
ABEYTA, JOSE M.	P.O. BOX 102 LOS OJOS, NM 87551
ATROIKA INC., A NM CORPORATION,	3801 WESTERFELD DRIVE NE ALBUQUERQUE, NM 87111
BAXSTROM, JACQUELYN	P.O. BOX 768 CHAMA, NM 87520
BINKLEY TRUST, JEB MCNEIL	23007 BROTHER LUKE PLACE SANTA FE, NM 87505
BINKLEY TRUST, MARGARET BURT	23007 BROTHER LUKE PLACE SANTA FE, NM 87505
BINKLEY TRUST, SARGENT MAC GREGOR	23007 BROTHER LUKE PLACE SANTA FE, NM 87505
BINKLEY, EDWARD L. III	P.O. BOX 70 CHAMA, NM 87520
BLACKMER, FRANK S.	P.O. BOX 332 FRUITLAND, NM 87416
BURNSIDE, DIANE O.	P.O. BOX 161 CHAMA, NM 87520
BURNSIDE, DUANE C.	P.O. BOX 161 CHAMA, NM 87520
CAUDILL, E. TRUMAN	6303 DRISCOLL NE ALBUQUERQUE, NM 87109
CAUDILL, JANE	6303 DRISCOLL NE ALBUQUERQUE, NM 87109
CLEMENS, CATHERINE	1290 LEJANO LANE SANTA FE, NM 87501
CLEMENS, JESS	1290 LEJANO LANE SANTA FE, NM 87501
DIAMOND S RANCH,	P.O. BOX 70 CHAMA, NM 87520
DUNCAN FAMILY LTD. PARTNERSHIP,	506 GALISTEO STREET SANTA FE, NM 87501
E.M.N.R.D FORESTRY DIV., N.M. FOREST CONSERVATION	HC 75 BOX 81 CHAMA, NM 87520
EL BARRANCO LLC,	P.O. BOX 1776 SANTA FE, NM 87501
EZELL, CHARLES E.	P.O. BOX 485 CHAMA, NM 87520
EZELL, DOROTHY W.	P.O. BOX 485 CHAMA, NM 87520
EZELL, JUNE L.	P.O. BOX 485 CHAMA, NM 87520
EZELL, MAURICE A.	P.O. BOX 485 CHAMA, NM 87520
GALLEGOS, BENJAMIN A. JR.	15241 CR 500 PAGOSA SPRINGS, CO 81147
GALLEGOS, FRANK A.	P.O. BOX 97 LOS OJOS, NM 87551
GALLEGOS, JOHN J.	15241 CR 500 PAGOSA SPRINGS, CO 81147
GALLEGOS, MARY	P.O. BOX 97 LOS OJOS, NM 87551
GALLEGOS, URSULA GERMAINE VICENTI	P.O. BOX 131 LOS OJOS, NM 87551
GARCIA, ANTONIO	P.O. BOX 87 LOS OJOS, NM 87551
GARCIA, CHRISTINE H.	20 COTTONWOOD LANE LOS LUNAS, NM 87031
GARCIA, DAVE S.	20 COTTONWOOD LANE LOS LUNAS, NM 87031
GARDENHIRE, LEANNE M.	711 JUNIPER SANTA FE, NM 87501
GARDENHIRE, RALEIGH K.	711 JUNIPER SANTA FE, NM 87501
GARDENHIRE, RALEIGH KENT	141 VALLEY ESTATES DRIVE ESPAÑOLA, NM 87532
GARDENHIRE, ROBERT DEAN	141 VALLEY ESTATES DRIVE ESPAÑOLA, NM 87532
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GURULE, JUAN F.	P.O. BOX 21 IGNACIO, CO 81137
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KARAM, FRANCIS	1895 GEORGETOWN ROAD POTTSBURO, TX 75076
KARAM, MARY	1895 GEORGETOWN ROAD POTTSBURO, TX 75076
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MARTINEZ & SUCCESSORS AS, GONZALO H. TRUSTEES	4504 STOCKBRIDGE NW ALBUQUERQUE, NM 87120
MARTINEZ, ANTONIO L.	1632 VIA SARITA SAN LORENZO, CA 94580
MARTINEZ, D.L.	4920 NOREEN CT. NE ALBUQUERQUE, NM 87111
MARTINEZ, EARL JAMES	1317 ARCADIAN TRAIL NW ALBUQUERQUE, NM 87107
MARTINEZ, ELEUTERIO JR.	5505 DRAYTON NE ALBUQUERQUE, NM 87111
MARTINEZ, EVANGELINE	4504 STOCKBRIDGE AVE. NW ALBUQUERQUE, NM 87120
MARTINEZ, GONZALO H.	4504 STOCKBRIDGE AVE. NW ALBUQUERQUE, NM 87120
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MARTINEZ, JOSE ORLANDO	P.O. BOX 111 LOS OJOS, NM 87551
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MARTINEZ, LUCILLE E.	1632 VIA SARITA SAN LORENZO, CA 94580
MARTINEZ, M.A.	4920 NOREEN CT. NE ALBUQUERQUE, NM 87111
MARTINEZ, M.J.	4920 NOREEN CT. NE ALBUQUERQUE, NM 87111
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MARTINEZ, PAUL	P.O. BOX 111 LOS OJOS, NM 87551
MARTINEZ, ROBERT	P.O. BOX 12 LOS OJOS, NM 87551
MARTINEZ, ROSE L.	P.O. BOX 404 QUESTA, NM 87556
MARTINEZ, TED D.	5192 POSTON DRIVE SAN JOSE, CA 95136
MARTINEZ, TERRY L.	5192 POSTON DRIVE SAN JOSE, CA 95136
MESTAS, GENEVIEVE	P.O. BOX 21 IGNACIO, CO 81137
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MORROW, JOHN	276 CHULA VISTA STREET SANTA FE, NM 87501
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NUNEZ, RAMON R.	346 GARCIA NE ALBUQUERQUE, NM 87123
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RYAN, VERNON	1829 CRISTOVAL SAN ANGELO, TX 76903
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SANCHEZ, CLEOFAS	P.O. BOX 131 LOS OJOS, NM 87551
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SANCHEZ, MEDARDO	P.O. BOX 21 PARKVIEW, NM 87551
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SANDERS, DARLENE	HC 75 BOX 83 CHAMA, NM 87520
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SMITH, LEO L.	P.O. BOX 485 CHAMA, NM 87520
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TRUJILLO, RITA	P.O. BOX 73 LOS OJOS, NM 87551
VALDEZ, MANUEL	P.O. BOX 87 LOS OJOS, NM 87551
WEAVER, JOHNNA	141 VALLEY ESTATES DRIVE ESPAÑOLA, NM 87532
WHITEMAN, ANN M.	P.O. BOX 336 GALLUP, NM 87301
WHITEMAN, RUFUS	P.O. BOX 336 GALLUP, NM 87301
WINGO, SHERRY D.	HC 75 BOX 86 CHAMA, NM 87520
WINGO, TURNER A.	HC 75 BOX 86 CHAMA, NM 87520
WOOD, M. EDWINA	119 SUNFLOWER DRIVE SANTA FE, NM 87501
WOOD, WARREN T.	119 SUNFLOWER DRIVE SANTA FE, NM 87501